

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE

Laurie Ortolano

v.

The City of Nashua, et al.

:
:
:
:
:
:
:

Civil Action No. 22-cv-00326-LM

DEFENDANT CITY OF NASHUA’S ASSENTED-TO
MOTION TO AMEND ANSWER

NOW COMES the Defendant City of Nashua and moves to amend its Answer to the Complaint [Doc. No 32] with respect to one paragraph of the 67 page, 198 paragraph complaint. Specifically, the City seeks to amend it answer to paragraph 136 of the Complaint from:

136. Defendant denies that Attorney Bolton “insisted” that Plaintiff be arrested. Defendant otherwise generally admits the remaining allegations.

to:

136. Defendant denies that Attorney Bolton “insisted” that Plaintiff be arrested or that he was untruthful in his response. Defendant otherwise generally admits the remaining allegations.

As grounds therefore, Defendant states as follows:

1. The City’s Answer to the Complaint was filed on November 23, 2022.
2. The Answer failed to fully address all aspects of the twelve line, multi-sentence paragraph, in particular the allegation that Attorney Bolton had been untruthful in his email. In fact, as Attorney Bolton stated in his own Answer [Doc. No. 30], although he did send the quoted email, he denied the characterization thereof.
3. As the Answer has only recently been filed and no motions are pending based thereon, nor any discovery issued, allowing the amendment this early in the case will not prejudice any party.

4. Plaintiff's Counsel has assented to the relief sought. No other party has voiced any objection.

WHEREFORE, Defendant respectfully requests that the Court:

- A. Grant the instant Motion; and
- B. Order such further relief as justice requires.

Respectfully submitted,

CITY OF NASHUA

By its attorneys

CULLEN COLLIMORE SHIRLEY PLLC

Dated: December 9, 2022

By: /s/ Brian J.S. Cullen

Brian J. S. Cullen (Bar No. 11265)
37 Technology Way, Suite 3W2
Nashua, NH 03060
(603) 881-5500
bcullen@cullencollimore.com

CERTIFICATE OF SERVICE

I certify that a copy of this filing was served via the Court's ECF filing system upon counsel of record.

Dated: December 9, 2022

By: /s/ Brian J.S. Cullen

Brian J.S. Cullen